

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

RAGHUVVEER K. MENDU,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

CASE NUMBER: 17-738 T

(Judge Mary Ellen Coster Williams)

**JOINT STIPULATION FOR PARTIAL DISMISSAL**

Plaintiff Raghuveer K. Mendu and defendant United States of America hereby stipulate and agree as follows:

1. Plaintiff filed the complaint in this matter setting forth two causes of action with respect to defendant's assessment and collection of civil penalties under 31 U.S.C. § 5311, *et seq.* The first cause of action set forth in the complaint is for illegal exaction of money. The second cause of action set forth in the complaint is for declaratory judgment under the Administrative Procedures Act, 5 U.S.C. §§ 701-706


2. On September 27, 2017, defendant filed its Motion for Partial Dismissal Pursuant to RCFC 12(b)(1) requesting dismissal, for lack of subject matter jurisdiction, of only the second cause of action for declaratory judgment under the Administrative Procedures Act.

3. The parties stipulate that plaintiff's cause of action under the Administrative Procedures act shall be dismissed and that paragraphs 79 to 84 and prayer for relief paragraph B, relating to declaratory judgment under the Administrative Procedures Act, may be deemed stricken from the complaint.


4. The parties stipulate that, on granting of dismissal of plaintiff's second cause of action for declaratory relief under the Administrative Procedures Act pursuant to this stipulation, defendant's motion for partial dismissal pursuant to RCFC 12(b)(1) (Document 7 filed in this case) is requested to be deemed withdrawn as moot.

Consented and agreed to by:

Dated: October 17, 2017

  
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Dated: October 17, 2017

  
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